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REMARKS

This is a full and timely response to the non-final Official Action mailed June 20, 2004. Reconsideration of the application in light of the above amendments and the following remarks is respectfully requested.

Claim Status:

By the forgoing amendment, various claims have been amended. No new claims are added. Original claims 24 and 57 have been cancelled. Claims 2, 3, 9-23 and 25-29 were cancelled previously. Thus, claims 1, 4-8, 30-56 and 58 are currently pending for further action.

35 U.S.C. § 112, Second Paragraph:

The recent Office Action rejected claims 41-47 under 35 U.S.C. § 112, second paragraph because claim 41 was allegedly unclear. Applicant respectfully disagrees that claim 41 is in any way unclear or indefinite.

The "ink absorber" recited in claim 41 refers, for example, to element (46) of Fig. 1a and not to element (40) as supposed in the recent Office Action. To assist the Office in understanding claim 41, Applicant provides the following version of claim 41 which includes reference numbers referring to Fig. 1a. This illustrates one possible way in which claim 41 could be read on Fig. 1a, but does not, and is not intended to, limit claim 41 to any specific embodiment, such as that shown in Fig. 1a.

41. An apparatus for servicing an inkjet print head comprising:
a print head wiper (34, 38) adjacent to said print head (20) for wiping said inkjet print head (20);
a wiper cleaner (42, 44) adjacent to said print head wiper (34) for cleaning said print head wiper (34); and

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a rotatable shaft (37) on which said print head wiper (34) is mounted, said print head wiper (38) being configured to wipe said inkjet print head (34) as said shaft (37) rotates;

wherein said wiper cleaner (42) comprises an ink absorber (46) which is disposed directly below said print head wiper (34) when said print head wiper (38) engages said wiper cleaner (44).

Consequently, when properly understood, claims 41-47 are clear and definite, and are fully supported by Applicant's original specification. Therefore, withdrawal of the rejection of claims 41-47 under § 112, second paragraph, is proper and respectfully requested.

Double Patenting:

The recent Office Action next rejected claims 1, 4-8, 24, 30-33, 35, 40, 48 and 50-58 under the judicially created doctrine of obviousness-type double patenting with respect to U.S. Patent No. 6,692,101. In response, Applicant files herewith a terminal disclaimer of the present application relative to U.S. Patent No. 6,692,101.

Following entry of the terminal disclaimer, the rejection based on double patenting should be withdrawn. Notice to that effect is respectfully requested.

Prior Art:

Claims 1, 4 and 35-39 were rejected as being anticipated under 35 U.S.C. § 102(b) by JP 60030348 to Umeda et al. ("Umeda"). For at least the following reasons, this rejection is respectfully traversed.

Claim 1 recites:

An apparatus for servicing an inkjet print head comprising:
a print head wiper adjacent to said print head for wiping said inkjet print head;
a wiper cleaner adjacent to said print head wiper for cleaning said print head wiper;
a rotatable shaft on which said print head wiper is mounted, said print head wiper being configured to wipe said inkjet print head as said shaft rotates; and

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an ink absorber integrated with said print head wiper and mounted on said rotatable shaft.
(emphasis added).

In contrast, Umeda fails to teach or suggest the claimed ink absorber integrated with the print head wiper and mounted on the rotatable shaft. According to the Office Action, Umeda teaches the claimed ink absorber at element 13 in Fig. 5. (Action of 6/20/05, p. 12). This, however, is incorrect. According to the clear teachings of Umeda, element 13 is a "purge section" onto which ink is dispensed to purge the print head (10). However, the purge section 13 is not, and does not comprise, an ink absorber. Rather, according to Umeda, an "ink collection section 18 is configured of an ink absorbing material 21." (Translation of Umeda provided by USPTO, p. 7). This ink collection section 18 absorbs the ink from the purge section 13 as the purge section 13 is moved passed the ink collection section 18. (Translation of Umeda provided by USPTO, pp. 7-8). Consequently, Umeda teaches an ink absorber 21 that is separate from and not integrated with a rotating print head wiper as claimed.

"A claim is anticipated [under 35 U.S.C. § 102] only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference." *Verdegaal Bros. v. Union Oil Co. of California*, 2 U.S.P.Q.2d 1051, 1053 (Fed. Cir. 1987) (emphasis added). See M.P.E.P. § 2131. For at least this reason, the rejection of claim 1 and its dependent claims based on Umeda should be reconsidered and withdrawn.

Similarly, independent claim 35 recites:

A method of operating an inkjet print head, said method comprising:
wiping said print head with a print head wiper rotatably disposed on a shaft,
wherein said wiping is performed by rotating said print head wiper on said shaft to wipe said print head;

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rotating said print head wiper to orient an ink absorber adjacent to said print head, wherein said ink absorber is integrated with said print head wiper and rotatably disposed on said shaft; and
ejecting ink from said print head into said ink absorber.

In contrast, as demonstrated above, Umeda teaches a purge section 13 on the rotating print head wiper that is not an ink absorber, but delivers purged ink to the ink collection section 18 and ink absorber 21 that are disposed along the path of rotation. Consequently, Umeda does not teach or suggest the claimed method including “rotating said print head wiper to orient an ink absorber adjacent to said print head, wherein said ink absorber is integrated with said print head wiper and rotatably disposed on said shaft.”

Again, “[a] claim is anticipated [under 35 U.S.C. § 102] only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference.” *Verdegaal Bros. v. Union Oil Co. of California*, 2 U.S.P.Q.2d 1051, 1053 (Fed. Cir. 1987) (emphasis added). See M.P.E.P. § 2131. For at least this reason, the rejection of claim 35 and its dependent claims based on Umeda should be reconsidered and withdrawn.

Additionally, dependent claim 38 recites “wherein said wiper cleaner comprises a fixed element spaced from said print head wiper such that said print head wiper only makes contact with said fixed element during a portion of a rotation of said print head wiper and only with that portion of said print head wiper that wipes ink from said print head, such that cleaning said print head wiper comprises rotating said wiper past an interference with said wiper cleaner.” In contrast, the ink collection section 18 taught by Umeda appears to be in constant contact with the “capping element” that includes a “nozzle cleaning section” 15.

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Thus, Umeda does not teach or suggest the subject matter of claim 38. For at least this additional reason, the rejection of claim 38 should be reconsidered and withdrawn.

Claim 24 was rejected as anticipated under 35 U.S.C. § 102(b) by EP 0 430 077 to Watanabe et al. This rejection is rendered moot by the cancellation in this paper of claim 24.

Lastly, claim 53 was rejected as unpatentable under 35 U.S.C. § 103(a) in view of the combined teachings of U.S. Patent No. 5,051,761 to Fisher ("Fisher") and JP 404141440 to Sugiura ("Sugiura"). This rejection is respectfully traversed for at least the following reasons.

In the foregoing amendment, claim 57 has been cancelled and its recitations added to independent claim 53. No prior art rejection was made in the recent Office Action as to claim 57. Accordingly, claim 53 now recites:

An apparatus for servicing an inkjet print head comprising:
a print head wiper adjacent to said print head for wiping said inkjet print head;
a wiper cleaner adjacent to said print head wiper for cleaning said print head wiper;
a rotatable shaft on which said print head wiper is mounted, said print head wiper being configured to wipe said inkjet print head as said shaft rotates; and
an cap for hermetically sealing said print head integrated with said print head wiper and mounted on said rotatable shaft, wherein said shaft is configured to move laterally to selectively seal said print head with said cap;
wherein said wiper cleaner is mounted to a print media guide of an inkjet printer.
(emphasis added).

In contrast, the combination of Fisher and Sugiura fails to teach or suggest the claimed apparatus including a wiper cleaner mounted to a print media guide of an inkjet printer. "To establish prima facie obviousness of a claimed invention, all the claim limitations must be taught or suggested by the prior art. *In re Royka*, 490 F.2d 981, 180 USPQ 580 (CCPA

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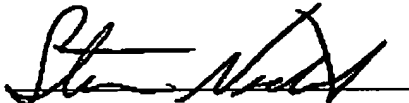
1974)." M.P.E.P. § 2143.03. Accord. M.P.E.P. § 706.02(j). For at least this reason, the rejection of claim 53 should now be reconsidered and withdrawn.

Conclusion:

For the foregoing reasons, the present application is thought to be clearly in condition for allowance. Accordingly, favorable reconsideration of the application in light of these remarks is courteously solicited. If the Examiner has any comments or suggestions which could place this application in even better form, the Examiner is requested to telephone the undersigned attorney at the number listed below.

Respectfully submitted,

DATE: 7 October 2003


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